

**Greensburg City Council  
March 18, 2013  
CITY HALL**

**Item 1: Opening Session**

**Call to Order; Pledge of Allegiance; Invocation; Roll Call**

Mayor Bob Dixson called the meeting to order at 6:00 p.m. on March 18, 2013. The Pledge of Allegiance was said and the invocation given by Dixson. Roll call was taken. Council present: Mark Trummel, Matt Christenson, Erica Goodman, and Haley Kern. Sandra Jungemann was absent.

**Additions/Deletions to the Agenda**

With no additions or deletions to the agenda Trummel made a motion, seconded by Kern, to approve the agenda as presented. Motion passed 4-0.

**Mayor's Report**

There was no report from the Mayor.

**Council Member's Report**

There was no report from Council.

**City Administrator Comments**

City Administrator Ed Truelove briefed Council on several items.

- Steve Mankins, BCS, has provided a cost breakdown for the items needed to repair the lighting at City Hall. BCS will conduct the repairs and the lighting and PV system commissioning under their existing contract with the City. BCS expects to be on site on March 21<sup>st</sup> to begin repairs.
- Provided in the meeting packets was a letter from KDHE, notifying the City that they were granted the extension on the public comment period for the Corrective Action Decision on Well #8. The Public comment period will now end on May 1<sup>st</sup>.
- Mike Hayes and his crew are working to repair the pool to open again this season. The liner has a significant tear on the north/deep end which has been repaired, temporarily, to get us through this season. The diving board has a crack in it, and the replacement cost is expected to be approximately \$2,500. The previous board has lasted approximately 8 years. With the pending construction of a new Davis Park a new board would only be in use 1-2 years. Unless Council objected, Staff will move forward with the purchase of a new diving board. There were no objections.
- Truelove will be out of the office, Wednesday through Friday, due to an invitation from Purdue University to speak at a class entitled "Natural Hazards – Science and Society."
- Copies of proposed changes to Ordinances 1034 and 1037, as well as the updated insurance quote from EMC, were placed on the Council bench prior to the meeting.
- A copy of a monthly report from Chief Alvarez, showing his statistics for the month of February, was provided. Council was encouraged to voice any suggestions for content in future reports. No suggestions were made. Truelove would like Alvarez to report at a Council Meeting quarterly.
- During the last week, the maintenance gate at the bottom of the Big Well stairs was installed. The gate will allow for safer operation of the jib crane. A photograph of the gate was projected for the Council's benefit.
- The signage for the Fleener-Beck Memorial Plaza was installed last week by City Staff. Stacy Barnes, Tourism Director, has informed Administration that the sign has been getting a lot of use by museum visitors. A photograph of the sign was projected for the Council's benefit.

**Item 2: Public Comment**

Dixon welcomed those in attendance and opened the floor for public comment. There was no public comment.

**Item 3: Consent Agenda**

Trummel made a motion to approve the Consent Agenda. Christenson seconded. Motion passed 4-0.

**Item 4: Items of Business**

**A) Receive Jeanine Hassiepen, Peoples Insurance, to provide EMC Insurance quotes for renewing the City's insurance policy.**

Jeanine Hassiepen, Peoples Insurance, gave an overview of the EMC Insurance proposal for the coming year. The Police Department has been added to the policy, and the quote accounts for the future cost of adding the Water Treatment Plant. Hassiepen stated that the quoted \$1,000 deductible (for property) was per occurrence rather than per location. Last year the policy ran \$74,500. The current proposal is for \$85,511.00. This accounts for the additions to the policy and the rate increase that has been implemented across the board. Truelove recommended that Council approve the proposal as the current policy expires April 1, 2013. At a later date he will bring information before Council on the potential savings on premiums by raising the deductible from \$1,000 to \$5,000. Christenson requested historical documentation on the number of claims in the last 5 years. Hassiepen pointed out that the general liability is down \$6,000. Other items have also decreased in cost since last year. Trummel made a motion to approve the quote presented. Goodman seconded. Motion passed 4-0.

**B) Consider an Easement Agreement between the City of Greensburg and Haviland Telephone Company, Inc. d/b/a GMAXX.**

Council was presented with an Easement Agreement between the City of Greensburg and Haviland Telephone. The new lines will increase GMAXX signal strength to local residents. Truelove briefly described the route of the easement and confirmed that the proposed agreement included the recommendation of City Attorney Gordon Stull. Utilities Superintendent Mick Kendall and Truelove have spoken to two technicians with Haviland Telephone and are comfortable with the work to be done. Christenson made a motion to approve the agreement. Kern seconded. Motion passed 4-0. Christenson voiced his pleasure in seeing a company investing in the infrastructure of the community.

**C) Consider a Codification Services Agreement between the City of Greensburg and City Code Financial.**

Truelove presented a Codification Services Agreement between the City of Greensburg and City Code Financial. The City's code book has not been updated since 2007. Efforts to again work with the League of Kansas Municipalities on the update have been unsuccessful since at least 2009. Part 1 of the agreement would update the current code book. Part 2 will keep the code current on-line and provide 10 hard copies of the code per year. Truelove believes that this will bring additional transparency and will allow citizens free access to city codes. Goodman, Christenson, and Stull feel that codification is long overdue. Truelove was unable to provide a time frame for when the books would be complete as that is dependent on the number of changes that need to be made. City Code would begin work as soon as Staff is able to provide them the information needed. Christenson made a motion to approve Part 1 and 2 of the agreement. Trummel seconded. Motion passed 4-0.

**D) Consider a proposal from Midwest Computer Solutions to upgrade the current server hardware, virtualizing the network, and billable time involved with installing and updating the hardware/software.**

Truelove described the previous and current quotes from Midwest Computer Solutions to upgrade the current server. The newest proposal is for a “middle of the road” server with better hard drive equipment. Christenson questioned if the current quote, which is less than the previous quote, did indeed include 4 hard drives, as listed. He also questioned that the quote mentions 2.5” internal bays but 3.5” hard drives. He believe that a server like the one proposed should have a 5 year life span depending on the City’s needs. Consensus of the Council was to table the proposal until the number and size of hard drives provided in the quote can be confirmed.

**E) Consider Ordinance 1034, defining truck routes within the City of Greensburg.**

Truelove had received a request from Bobby Martin, Southern plains Co-op, for a map of the City’s truck route. Staff is unable to locate an adopted Ordinance. Martin states that most grain trucks weigh 50,000 – 80,000 lbs when fully loaded. Staff has received concerns about the weight limit of the bridge on South Olive Street, should it be declared part of the truck route. There are no streets approved for truck traffic on the southern end of town. The Ordinance does allow for destination access. Dixon voiced concern over uncontrolled intersections and a truck’s ability to get pulled onto the highway. Discussion continued on the need to ensure that over-the-road haulers have the ability to stop and spend money at our convenience stores. Stull recommended establishing weight limits on bridges. Goodman reminded Council that at one time the need for a truck parking lot along the highway was discussed and pointed out a typing error in the document. The Ordinance should read, “Be it ordained by...” Trummel made a motion to table the discussion. Christenson seconded. Motion passed 4-0.

**F) Consider Ordinance 1035, amending the Chapter 2, Article 2 (Cereal Malt Beverages) of the Code of the City of Greensburg.**

Ordinance 1035 on the agenda was renumbered to Ordinance 1034 and amends Chapter 2, Article 2 of the City Code. Recommended changes to the code include changes to the fees for a general retailer license and a limited retailer license, to avoid excessively charging (based on state statute), and adds “Temporary License” to the code for special events. Repealed from the code are the inspection requirements that are not part of Staff’s application process. Goodman made a motion to approve Ordinance 1034. Christenson seconded. Motion passed 4-0.

**G) Consider Ordinance 1036, amending section 11.3.T “Recreational Vehicle Facilities” in the Sustainable Land Development Code, as recommended by the Greensburg Planning Commission.**

Ordinance 1036 on the agenda was renumbered to Ordinance 1035. The Planning Commission recommends amending section 11.3.T “Recreational Vehicle Facilities” in the Sustainable Land Development Code to remove recreational vehicle (RV) parks from the list of uses permitted conditionally in the R1-A district. Currently, there is conflicting language in the code. RV parks are referenced twice in the code. One limits their possible location to the R1-B district, while the other has no location restrictions. Christenson made a motion to approve Ordinance 1035. Trummel seconded. Motion passed 4-0.

**H) Discuss and Consider Ordinance 1037, amending section 15.8 “Personal Animal Husbandry Special Exceptions” in the Sustainable Land Development Code, as recommended by the Greensburg Planning Commission.**

Ordinance 1037 on the agenda was renumbered to Ordinance 1036. Animal husbandry of chickens, fowl, and farm animals are currently allowed in the zoning ordinance based on the requirement of 2 acres of property. The Animal Control Ordinance prohibits these animals. The Planning Commission has held a duly advertised public hearing and recommends the Council adopt Ordinance 1036, permitting the raising of fowl in residence areas. Approval would necessitate amending the Animal Control Ordinance to allow fowl in City limits. Regulation and enforcement of fowl in town would be done through the Animal Control Ordinance, which is currently under review by the Council. Truelove explained that without amending the Animal Control Ordinance, fowl would not be allowed, regardless of their approval in the zoning ordinance. There was no opposition to the proposal during the public comment portion of the Planning Commission hearing; however, Commissioner Barnes did vote “no”. Trummel voiced concern over beginning to allow animals that were once prohibited. Christenson would prefer consideration of Ordinance 1036 in conjunction with amendments to the Animal Control Code. Kern would like to hear public comment on the proposal. Christenson made a motion, seconded by Kern, to table the decision for further discussion and public comment. Motion passed 4-0.

**I) Discuss possible amendments to the Animal Control Code.**

Staff plans to present a rough draft Animal Control Code to Council at a later date but requested direction from the Council on proposed changes. Dixon voiced concern over what is and is not considered “undomesticated animals.” Truelove prefers a breed specific dog ban and gave background on pit bulls and the amount of harm they are capable of causing. Staff will work with Stull to develop a rough draft that is specific to the needs of this community. Truelove confirmed that there is a pit bull breeder in town who has been selling puppies in city limits. Truelove recommends banning pit bulls but addressing all other breeds, currently banned, under the vicious animal code. This will allow safety concerns to be based on behavior rather than breed.

**Item 5: City Attorney’s Report**

There was no report from the City Attorney.

**Item 6: Executive Session**

There was no need for Executive Session.

**Item 7: Adjournment**

Dixon encouraged citizens to contact City Hall or the Council Members with any questions or concerns they may have and declared the meeting adjourned at 7:45 p.m.

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Robert A. Dixon, Mayor

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Christy Pyatt, City Clerk